



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

56194
JUL 02 1982

JUN 30 1982

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

Honorable Edward M. Kennedy
United States Senator
2400 John F. Kennedy Building
Boston, Massachusetts 02203

Dear Senator Kennedy:

This is in response to your letter of April 8, 1982, to Anne M. Gorsuch, Administrator of the Environmental Protection Agency (EPA). You describe your concerns about the omission of the New Bedford Harbor from the Superfund priority list.

As you are aware, you and I met to discuss the New Bedford situation subsequent to the receipt of your letter. In that meeting, I believe that we identified a course of action that will result in significant progress on the New Bedford situation.

EPA Region I, through its Environmental Impact Assessment Office, is compiling all currently available sampling data for the harbor and city area and will use these data to identify: (1) areas which need more sampling and (2) areas where enough data exists to investigate remedial and enforcement options. Based on this effort, a scope of work for contractor studies in summer and fall, 1982 is being prepared. This contract will have two major purposes: (1) fill the data gaps identified in the above study and (2) outline and cost out future feasibility studies to serve as a basis for negotiations with potential responsible parties for site cleanup. Work under this contract will begin by July 1 and is expected to generate data in a phased system ending about December 31, 1982.

As I discussed at our May 11, 1982, meeting, pending New Bedford being placed on the Superfund priority site list, remedial planning, design, and construction activities cannot be funded from Superfund. Our present approach, outlined above, should support two concurrent objectives: (1) to identify responsible parties and provide technical information for negotiations intended to secure privately funded response action and (2) to continue investigations necessary as prerequisites to Superfund remedial planning, design and construction, should this become an available option.

UNCONTROLLED WASTE
AIR & HAZARDOUS MATERIALS D.

JUL 10 1982

Prepared by: ESTANLEY/nol/382-2180/20 May 1982/
rewritten 24 May 1982 & 16 June 1982 -- AL-1533 due 4 May 1982

As you may recall, I indicated during our meeting that Mel Hohman, Director of the Waste Management Division in our Region I Office, will be the lead person in this effort. Please feel free to contact either this Office or Mr. Hohman's Office to monitor our progress. If I can be of any further assistance, please do not hesitate to contact me directly.

Sincerely Yours,

Rita M. Lavelle
Assistant Administrator